

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

John Fortune

v.

Case No. 23-cv-286-LM

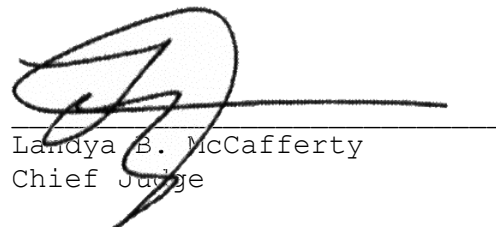
NH Department of Corrections,
Director, et al

ORDER

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated May 25, 2023. For the reasons explained therein, the official capacity claims for damages are dismissed.

“‘[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.’”

School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).



Landya B. McCafferty
Chief Judge

Date: June 27, 2023

Cc: John Fortune, pro se
Counsel of Record